

Ivan Kilgore V31306
CSP-Sacramento
P.O. Box 290066
Represa, CA 95671

FILED

08 AUG 18 PM 3:26

U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Ivan Kilgore,

Petitioner,

v.

J. Walker, acting warden,

Respondent.

No. C 07-5124 SI(pr)

Motion for a 30 day extent-
to prepare motion for
rehearing on United States
District Judge Susan
Illston's order denying
motion for funds.

IMMEDIATE RELIEF REQUESTED

Ivan Kilgore filed a pro se action for a writ of habeas corpus pursuant to 28 U.S.C. §2254 to challenge his 2003 conviction in the Alameda County Superior Court. On July 16, 2008 Judge Susan Illston denied petitioner's subsequent filing requesting of the district court to provide provisions to obtain the complete transcription of a 1997 prior conviction which resulted from jury trial. The motion was filed because ~~either~~ ^{neither} the trial courts, nor appellate court's counsel had procured said evidence favorable to plaintiff resulting from the prior conviction which would have countered any adverse inferences the prosecution or attorney general sought to make by introducing only a portion of the prior trial testimony.

Petitioner requests of this court to allow a 30 day extention provided he is currently housed at a maxium security prison,

1 which allows a minium of law library access throughout the week
2 days. Also petitioner is not skilled in matters of law, thus
3 the requested extention is so necessary to research the grounds
4 in which the motion for provision of funds was denied.

5 Petitioner respectfully request that this motion be granted
6 to extend the time frame for 30 days to which a motion for
7 rehearing thus will be filled.

8 Dated: 8-13-08
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12 (Petitioner)
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PROOF OF SERVICE

(C.C.P. §§1013(a); 2015.5; 28 U.S.C. §1746)

I, JUAN Kilgore, am over the age of eighteen (18) years,
and I (am) (am not) a party to the within cause of action. My address is:

P.O. Box 290066
Represal, CA 95671

On, 8-13-08, I served the following documents:

Motion for extension

on the below named individual(s) by depositing true and correct copies thereof in
the United State mail in Represa, California, with postage fully prepaid thereon,
addressed as follows:

1. <u>US District Court</u>	2. _____
<u>Northern Dist.</u>	_____
<u>450 Golden Gate Ave</u>	_____
<u>SAN FRANCISCO, CA 94102</u>	_____
_____	_____

I have read the above statements and declare under the penalty of perjury of
the laws of the State of California that the foregoing is true and correct.

Executed this 13 day of August, 2008, at California State
Prison - Sacramento, Represa, California.

(Signature) Juan Kilgore